

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
(BID PROTEST)**

PlanetSpace, Inc.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	Case No. 09-99 C
The United States,	:	Senior Judge Robert H. Hodges, Jr.
	:	
Defendant.	:	
	:	
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ORBITAL SCIENCES CORPORATION’S UNOPPOSED MOTION TO INTERVENE

Pursuant to Rule 24 of the Rules of the United States Court of Federal Claims (“RCFC”), Orbital Sciences Corporation (“Orbital”), respectfully moves to intervene in this case. Orbital seeks to intervene in order to defend the written finding of the National Aeronautics and Space Administration (“NASA”), under the Competition in Contracting Act, 31 U.S.C. § 3553(d)(3)(C)(i)(II), that urgent and compelling interests that significantly affect the interests of the United States require Orbital to begin performance of its responsibilities under the International Space Station Commercial Resupply Services Contract. *See* 48 C.F.R. § 33.104(c)(ii).

Counsel for Orbital has conferred with counsel for Defendant, United States, counsel for Plaintiff, PlanetSpace and counsel for another expected intervenor, Space Exploration Technologies Corp. (“SpaceX”). Both parties and SpaceX consent to Orbital’s intervention in this case. The grounds supporting Orbital’s motion to intervene are set forth in the accompanying memorandum.

Respectfully submitted,

s/ David A. Churchill by s/ Amy L. Tenney

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Dated: February 19, 2009

*Counsel of Record for Intervenor,
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